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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 DEVON PRESCOTT, et al.,

7 Plaintiffs,

8 v.

9 SLIDE FIRE SOLUTIONS, LP,

10 Defendant.
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Case No. 2:18-cv-00296-GMN-CWH

ORDER

12 This matter is before the court on plaintiffs' emergency motion for authorization to issue
13 evidence preservation subpoenas (ECF No. 37), filed on January 29, 2019. Plaintiffs moved for
14 authority to issue preservation subpoenas to Stephen Paddock's estate, the Las Vegas
15 Metropolitan Police Department ("LVMPD"), and the Federal Bureau of Investigation's Las
16 Vegas Office. The court then permitted plaintiffs to serve subpoenas under Rule 45 of the
17 Federal Rules of Civil Procedure. (Order (ECF No. 39).) The court also set an expedited briefing
18 schedule for the motion and a deadline for objections to the subpoenas. (*Id.*)

19 Defendant takes no position on plaintiffs' request to issue preservation subpoenas. (Resp.
20 (ECF No. 45).) Paddock's estate and the LVMPD both object the subpoenas. (Objection (ECF
21 Nos. 47, 48).) The FBI has not filed an objection, though the court does not know whether the
22 FBI served an objection on plaintiffs. Plaintiffs respond to Paddock's estate that the subpoena is
23 appropriate, in light of the circumstances. (Resp. (ECF No. 51).) Given the case's current
24 procedural posture, absent a motion to compel, it does not appear that further court action is
25 required at this time. *See* Fed. R. Civ. P. 45(d)(2)(B)(i).

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1 IT IS THEREFORE ORDERED that the Clerk of Court terminate plaintiffs' emergency
2 motion for authorization to issue evidence preservation subpoenas (ECF No. 37).

3 DATED: February 28, 2019

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7 C.W. HOFFMAN, JR.
8 UNITED STATES MAGISTRATE JUDGE
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